

**APPENDIX-1**

**ANNUAL CERTIFICATIONS, REPRESENTATIONS,**

**AND**

**WARRANTIES**

**For**

**POULTRY AND EGG PRODUCTS**



## Appendix-1 for Poultry and Egg Products

### (Annual Certifications, Representations, and Warranties)

These certifications concern matters within the jurisdiction of an agency of the United States and the making of a false, fictitious, or fraudulent certification may render the maker subject to prosecution under the United States Code, including 18 U.S.C. Section 1001, and subject to civil or administrative action, including suspension or debarment.

This Appendix is incorporated by reference in all United States Department of Agriculture, Agricultural Marketing Service, Poultry Programs Announcements and must be submitted to the Contracting Officer so that a determination of responsibility can be made with respect to offers submitted in response to invitations issued under all Poultry Programs Announcements. The Poultry Programs will retain this Appendix on file as the Offeror's certifications, representations, and warranties for subsequent invitations for offers under all Poultry Programs Announcements. By signing an offer, the Offeror certifies and warrants that the Appendix on file is current, accurate, and true. Offerors are responsible for updating this Appendix as may be necessary with each offer submitted.

A false certification may result in rejection of the offer, suspension and debarment, termination of the contract, liability for damages under the provisions of USDA-1, civil damages, and criminal prosecution.

#### 1. Buy American Certification

By submitting an offer, the Offeror certifies that end products to be furnished will be of 100 percent domestic origin as defined in section I.G. of the Announcement. This provision is a deviation from 48 C.F.R. Part 25.

#### 2. Domestic Products Certification

##### A. Responsibility of Offeror

Offeror certifies that:

1. The Contractor agrees to maintain records including, but not limited to, invoices, production, and inventory records evidencing product origin; and to make such records available for review by the Government in accordance with Article 76 of USDA-1.
2. Offeror (DOES) (DOES NOT) process or handle poultry and/or egg products including maltodextrin (products) originating from sources other than the United States, its territories or possessions, Puerto Rico, or the Trust Territories of the Pacific Islands. If the Contractor processes or handles products originating from sources other than U.S. production, Contractor agrees to develop and maintain an identification and record system for these products to ensure they are segregated and not used to fulfil this contract and make such segregation plans available to the Contracting Officer or agent thereof upon request.
3. The Contractor agrees to include section I.G. of the applicable Announcement, "Domestic Products," in its entirety in all subcontracts for agricultural supplies used in fulfilling this contract.

B. In making each shipment under the contract, the Contractor is certifying that all products delivered to USDA under the contract are domestic as defined in section I.F. of the applicable Announcement.

3. Contingent Fee Representation (Circle One)

Offeror represents that, except for full-time, bona fide employees working solely for the offeror, the offeror:

- A. (HAS) (HAS NOT) employed or retained any person or company to solicit or obtain this contract; and
- B. (HAS) (HAS NOT) paid, or agreed to pay, to any person or company employed or retained to solicit or obtain this contract for any commission, percentage, brokerage, or other fee contingent upon, or resulting from, the award of this contract.

4. Food Security

Offeror certifies that it (HAS) on file a written food security plan that provides for the security of a plant's production processes as defined in section I.E. of the applicable Announcement.

5. The certifications, warranties, and representations as set forth in the Appendix and Parts C and D of USDA-1, are hereby made.

IN WITNESS WHEREOF, the undersigned has executed this Appendix  
\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

NAME OF FIRM: \_\_\_\_\_

SIGNATURE<sup>1</sup>: \_\_\_\_\_

TITLE: \_\_\_\_\_

\_\_\_\_\_  
(Typed Name of Officer)<sup>2</sup>

TYPE OF FIRM: \_\_\_\_\_  
(Corporation, Partnership, Individual Proprietorship)

ADDRESS: \_\_\_\_\_

CITY: \_\_\_\_\_ STATE: \_\_\_\_\_ ZIP CODE: \_\_\_\_\_

TELEPHONE NO: \_\_\_\_\_ FAX NO: \_\_\_\_\_

<sup>1</sup> Before signing this Appendix, see Article 6 of USDA-1, Signing of Offers

<sup>2</sup> Officer must be identified in item 7 of the Solicitation Mailing List Application (SF-129)